

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

ARON MELBER,
a/k/a "Aharon Melber,"

Defendant.

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SUPERSEDING INFORMATION

S3 18 Cr. 614 (KMK)

COUNT ONE

The United States Attorney charges:

1. From at least in or about 2013 up to and including in or about March 2016, in the Southern District of New York and elsewhere, ARON MELBER, a/k/a "Aharon Melber," the defendant, together with others known and unknown, knowingly and willfully did conspire and agree together and with each other to commit one and more offenses against the United States, to wit, 18 U.S.C. § 1343.

2. It was a part and object of the conspiracy that ARON MELBER, a/k/a "Aharon Melber," the defendant, together with others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire communication in

interstate commerce, writings, signals and sounds for the purpose of executing such scheme and artifice, in violation of 18 U.S.C. § 1343.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal objects thereof, ARON MELBER, a/k/a "Aharon Melber," the defendant, together with others known and unknown, committed the following overt acts in the Southern District of New York and elsewhere:

a. On one and more occasions during the relevant time period, MELBER and his co-conspirators transmitted false documents and certifications across state lines via the Internet in order to obtain payment from the Universal Service Administrative Company, a non-profit corporation which is in turn regulated and funded by the Federal Communications Commission, under the "E-Rate" program, for equipment and services that were purportedly provided by companies owned and/or controlled by a co-conspirator to a school known as Congregation Imrei Shufer, but had not in fact been provided.

(Title 18, United States Code, Section 371.)

FORFEITURE ALLEGATIONS

4. As a result of committing the offenses charged in this Indictment, ARON MELBER, a/k/a "Aharon Melber," the defendant, shall forfeit to the United States, pursuant to 18 U.S.C.

§ 981(a)(1)(C) and 28 U.S.C. § 2461(c), any and all property, real and personal, traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

Substitute Asset Provision

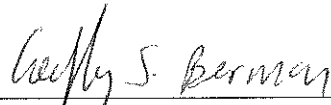
5. If any of the above described forfeitable property, as a result of any act or omission of the defendant:

- (i) cannot be located upon the exercise of due diligence;
- (ii) has been transferred or sold to, or deposited with, a third person;
- (iii) has been placed beyond the jurisdiction of the Court;
- (iv) has been substantially diminished in value; or
- (v) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. §§ 981 and 982 and 28 U.S.C. § 2461, to seek forfeiture of any other

property of the defendant up to the value of the forfeitable property described above.

(Title 18, United States Code, Sections 981 and 982; and Title 28, United States Code, Section 2461.)

A handwritten signature in cursive script, reading "Geoffrey S. Berman". The signature is written in dark ink and is positioned above a horizontal line.

GEOFFREY S. BERMAN
United States Attorney

